

# **EXHIBIT 5**

1 Richard M. Heimann (State Bar No. 63607)  
2 Kelly M. Dermody (State Bar No. 171716)  
3 Eric B. Fastiff (State Bar No. 182260)  
4 Brendan Glackin (State Bar No. 199643)  
5 Dean Harvey (State Bar No. 250298)  
6 Anne B. Shaver (State Bar No. 255928)  
7 Lisa J. Cisneros (State Bar No. 251473)  
8 LIEFF CABRASER HEIMANN &  
9 BERNSTEIN, LLP  
10 275 Battery Street, 29th Floor  
11 San Francisco, California 94111-3339  
12 Telephone: 415.956.1000  
13 Facsimile: 415.956.1008

14 Joseph R. Saveri (State Bar No. 130064)  
15 Lisa J. Lebove (State Bar No. 186705)  
16 James G. Dallal (State Bar No. 277826)  
17 JOSEPH SAVERI LAW FIRM, INC.  
18 505 Montgomery, Suite 625  
19 San Francisco, CA 94111  
20 Telephone: 415.500.6800  
21 Facsimile: 415.395.9940

22 *Co-Lead Class Counsel*

23  
24  
25  
26  
27  
28

14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

IN RE: HIGH-TECH EMPLOYEE  
ANTITRUST LITIGATION

THIS DOCUMENT RELATES TO:

ALL ACTIONS

Master Docket No. 11-CV-2509-LHK

**DECLARATION OF LINDA P. NUSSBAUM  
IN SUPPORT OF PLAINTIFFS' MOTION  
FOR ATTORNEYS' FEES,  
REIMBURSEMENT OF EXPENSES, AND  
SERVICE AWARDS**

1 I, Linda P. Nussbaum, declare:

2 1. I am an attorney licensed to practice in the State of New York. I am a partner at  
 3 the firm of Grant & Eisenhofer PA (“G & E”), Counsel for the Class Representatives and for the  
 4 proposed Settlement Class. I have personal knowledge of the facts set forth herein and could  
 5 competently testify to them if called as a witness.

6 2. G & E is one of the largest and most respected plaintiffs’ class action firms in the  
 7 nation. Over the past five years alone, the firm has obtained recoveries totaling over \$12.5 billion  
 8 for plaintiffs in cases in which the firm served as lead or co-lead counsel. I am chair of the firm’s  
 9 antitrust practice, and have served as lead or co-lead counsel in numerous complex antitrust class  
 10 actions, in which I have obtained precedent-setting victories and achieved substantial recoveries  
 11 for plaintiff classes.

12 3. To advance this litigation, G & E paid certain costs totaling \$177,623.71 up  
 13 through October 30, 2013 (the date of Preliminary Settlement Approval). Those costs consisted  
 14 of contributions to the joint litigation fund of Class Counsel (“Litigation Fund”) as well as costs  
 15 paid separately by G & E, as set forth below.

16 4. The Litigation Fund was designed to pay common external costs, such as expert  
 17 fees, court reporting expenses for deposition transcripts, and vendor fees for our electronic  
 18 platform for review and storage of documents produced in the course of discovery. G & E  
 19 contributed \$140,000.00 to the Litigation Fund as-of October 30, 2013. Further details regarding  
 20 the Litigation Fund are described in the accompanying Declaration of Kelly M. Dermody In  
 21 Support of Plaintiffs’ Motion for Attorneys’ Fees, Reimbursement of Expenses and Incentive  
 22 Awards.

23 5. In addition, G & E paid separately \$37,623.71 for certain costs that were not paid  
 24 for by the Litigation Fund, including copying documents, travel, electronic computer research,  
 25 faxing, and mailing charges, printing, telephone service, and other expenses. These expenses are  
 26 summarized in a chart provided in Attachment 1.

27 6. G & E incurred the costs described herein on behalf of Plaintiffs on a contingent  
 28 basis, and has not been reimbursed. The records of these costs are reflected in G & E’s books and

1 records. I have reviewed the expenses reported by G & E in this case that are included in the  
2 Motion for Attorneys' Fees, Reimbursement of Expenses, and Incentive Awards, and I affirm that  
3 they are true and accurate.

4 \* \* \*

5  
6 I declare under penalty of perjury under the laws of the United States and the State of New  
7 York that the foregoing is true and correct to the best of my knowledge and that this declaration  
8 was executed in New York, New York on March 3, 2014.



9  
10 Linda P. Nussbaum  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

## 1 Attachment 1

## 2 In re High-Tech Employees Antitrust Litigation

3 Grant &amp; Eisenhofer PA

## 4 Reported Expenses Incurred on Behalf of Plaintiffs

5 Inception Through October 30, 2013

Reported Expenses (By Type)	Amount Incurred
Computer Research	\$2,544.26
Copying/Reproduction	\$3,926.57
Delivery/Courier Service	N/A
Facsimile	N/A
Federal Express	N/A
In-House Print	N/A
Postage	\$298.29
Supplies	N/A
Telephone	\$173.30
Travel	\$23,412.48
Service Fees	\$227.85
Filing Fee	\$608.01
Outside IT Services	\$3,283.00
E-Discovery Processing Services	\$1,532.45
E-Discovery Hosting Services	\$1,617.50
<b>Total:</b>	<b>\$37,623.71</b>